

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 09/453,918
Attorney Docket No. Q58987

REMARKS

I. Introduction

Pending claims 2-11 have been examined and are rejected. Specifically, claims 4, 8 and 10-11 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kotola et al., U.S. Patent No. 6,321,257 (hereinafter "Kotola") in view of Kraft et al., U.S. Patent No. 6,487,424 (hereinafter "Kraft"); claims 2-3 and 9 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kotola in view of Kraft, and further in view of newly applied Tuoriniemi et al., U.S. Patent No. 6,470,197 (hereinafter "Tuoriniemi"); and claims 5-7 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kotola in view of Kraft, and further in view of Mitchell et al., U.S. Patent No. 5,966,671 (hereinafter "Mitchell").

Applicants overcome these grounds of rejection as follows.

II. Claim Rejections Under 35 U.S.C. § 103(a)

Claims 4, 8 and 10-11

Claims 4, 8 and 10-11 stand rejected under § 103(a) as allegedly being unpatentable over Kotola in view of Kraft.

Applicants amend claim 4 to further clarify the steps recited therein. As amended, claim 4 recites, inter alia, the step of "interpreting data inputted through the internet and displaying the inputted data on a screen of the wireless internet access terminal, said data including plural objects that are each linked to predetermined resource access location (URL) information".

Applicants respectfully submit that Kotola fails to teach or suggest this step.

Kotola describes that when a mobile user requires information from an Internet WWW page, the mobile user sends an SMS message that includes an identifier indicating the WWW page to a service center (Kotola: col. 3, lines 17-32). This identifier can either directly indicate the WWW page, *e.g.*, by supplying the URL for the WWW page, or indirectly indicate the WWW page, *e.g.*, a short keyword indicated the desired WWW page (*Id.*). Upon receipt of the short keyword, the short message service center performs a table lookup to convert the short keyword into an address of the WWW page associated with the short keyword (*Id.*).

Sending an SMS message that includes a short keyword that is later mapped to a URL when the SMS message is processed at a short message service center, does not correspond to displaying objects that are linked to URLs on a screen of the wireless internet access terminal, wherein the objects can be focused and have plural execution items associated therewith.

Furthermore, in Kotola, the information that is returned in response to the SMS request for a WWW page and then displayed is merely a text message, *i.e.*, SMS message (Kotola: col. 8, lines 1-3). Indeed, in Kotola, because the desired WWW page content is filtered and converted into an SMS (text) message, a mobile station can receive and display the WWW page without using a web browser program (Kotola: col. 2, lines 13-17).

In view of the above, Kotola also fails to teach or suggest the step of "focusing any one of the objects displayed on the screen". Kotola does not describe any user interaction with the displayed textual information that was retrieved from the WWW page via an SMS message (Kotola: Fig. 6).

Claim 4 also recites the step of "displaying plural execution items sequentially one by one by displaying one of the plural execution items of the focused object on one screen and executing an execution item displayed on the present screen by inputs from a button". The Examiner acknowledges that Kotola fails to teach or suggest this feature of claim 4. However, the Examiner alleges that Kraft makes up for this acknowledged deficiency of Kotola.

Kraft relates to data entry and does not involve any execution items of a focused object. Applicants respectfully submit that the Examiner's characterization of Fig. 6 of Kraft is incorrect. Even assuming, *arguendo*, that the candidate characters represent execution items, these candidate characters are not displayed one by one on the screen. To the contrary, a candidate list including multiple candidate characters is displayed in a second display part 22 of the screen (Kraft: Abstract; and Figs. 3-6).

Additionally, the Examiner's position that execution items are common is irrelevant. The burden is still on the Examiner to establish that the applied references teach or suggest all of the claim limitations.¹ Furthermore, the Federal Circuit has held that the identification of each individual part of a claim in the prior art is insufficient to defeat the patentability of the whole claimed invention.²

Contrary to the Examiner's allegation (*see* Office Action, page 12), the execution items recited in claim 4 clearly represent more than a mere design choice. Applicants respectfully submit that the manner of displaying the execution items and of selecting the execution items

¹ *See* MPEP § 2143.

² *See In re Kotzab*, 55 U.S.P.Q.2d 1313, 1316 (Fed. Cir. 2000).

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represent exemplary novel aspects of claim 4 that are neither taught nor suggested by Kotola and Kraft.

Further still, the Examiner fails to provide a reasonable suggestion or motivation, absent impermissible hindsight, for combining Kotola and Kraft in a manner that renders claim 4 obvious.

As noted above, Kotola relates to accessing Internet content in a digital mobile communication network by means of short message service. Disparately, Kraft relates to data entry in a communication terminal wherein candidate information is presented to the user for selecting to perform the data entry. Thus, the Examiner's allegation that it would have been obvious to modify Kotola to include Kraft's teachings in order to implement calculator (*i.e.*, mathematical) functions and complex characters is flawed in that it assumes that Kotola is limited to a particular character set (*e.g.*, Latin characters) and/or lacks mathematical operators. Furthermore, the Examiner's allegation ignores the possibility that such complex characters and/or mathematical operators may be unnecessary in the SMS message of Kotola, in that it is possible to retrieve WWW page content without such characters.

Further still, at best, a combination of Kotola and Kraft would allow an SMS message, as described in Kotola, to be entered via a data entry technique, as described in Kraft. Such a combination would still fail to teach or suggest all of the features of claim 4, for at least the exemplary reasons set forth above.

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In view of the above, claim 4 is patentable over a reasonable combination, if any, of Kotola and Kraft. Consequently, claims 8 and 10-11 are patentable at least by virtue of their dependency.

Claims 2-3 and 9

Claims 2-3 and 9 stand rejected under § 103(a) as allegedly being unpatentable over Kotola in view of Kraft, and further in view of Tuoriniemi.

Applicants amend claim 2 to further clarify the steps recited therein. As amended, claim 2 recites the step of "interpreting data inputted through the internet and displaying the inputted data on a screen of the wireless internet access terminal, said data including plural objects that are each linked to predetermined resource location information". This step is similarly recited in claim 4. As noted above for claim 4, neither Kotola nor Kraft (either alone or in combination) teaches or suggests this step.

Furthermore, as noted above for claim 4, neither Kotola nor Kraft (either alone or in combination) teaches or suggests the steps of "focusing any one of the objects displayed on the screen" and "selecting and executing any one of various execution items of the focused object according to an input state of a single button", as recited in claim 2.

Tuoriniemi fails to make up for these deficiencies of Kotola and Kraft. Consequently, claim 2 is patentable over a reasonable combination, if any, of Kotola, Kraft and Tuoriniemi, based on a rationale similar to that set forth above for claim 4. Consequently, claims 3 and 9 are patentable at least by virtue of their dependency.

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Claims 5-7

Claims 5-7 stand rejected under § 103(a) as allegedly being unpatentable over Kotola in view of Kraft, and further in view of Mitchell.

Because Mitchell fails to cure the exemplary deficiencies of Kotola and Kraft, as set forth above for claim 4, claims 5-7 are patentable over a reasonable combination, if any, of Kotola, Kraft and Mitchell, at least by virtue of their dependency.

III. New Claims 12-14

Applicants add new claims 12-14 in order to obtain an expanded scope of protection. Claims 12- 14 are patentable at least by virtue of their dependency.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

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